

BOSTON REDEVELOPMENT AUTHORITY

REPORT AND DECISION ON THE APPLICATION OF WATERS & CO., INC. FOR THE AUTHORIZATION AND APPROVAL OF A PROJECT UNDER MASSACHUSETTS GENERAL LAWS (TER. ED.), AS AMENDED, AND CHAPTER 652 OF THE ACTS OF 1960, TO BE UNDERTAKEN AND CARRIED OUT BY A CORPORATION TO BE FORMED UNDER MASSACHUSETTS GENERAL LAWS, CHAPTER 156, AND APPROVAL TO ACT AS AN URBAN REDEVELOPMENT CORPORATION UNDER SAID CHAPTER 121A

A. The Hearing. A public hearing was held at 2:00 P.M. on November 14, 1974, in the offices of the Boston Redevelopment Authority, (hereinafter called the "Authority"), at the New City Hall, Room No. 921, Boston, Massachusetts, by the Authority on an Application, (hereinafter called the "Application"), filed by Marion M. Waters, Leila C. Waters and Arnett L. Waters, for Waters & Co., Inc., (hereinafter called the "Applicants") for authorization and approval of a Redevelopment Project Under Chapter 121A of the General Laws of the Commonwealth of Massachusetts and Chapter 652 of the Acts of 1960, as amended, (hereinafter called the "Project"), due notice of said hearing having been previously given by publication on October 31, 1974 and November 6, 1974, in the Boston Herald-American, a daily newspaper of general circulation published in Boston, and mailing postage prepaid in accordance with Rule 8 of the Rules and Regulations of the Authority for Securing the Approval of Chapter 121A Projects, and in accordance with the provisions of Section 13 of Chapter 652 of the Acts of 1960, as amended. Robert L. Farrell, Chairman of the Authority, Joseph J. Walsh, James G. Colbert, Paul J. Burns and James K. Flaherty, members of the Authority, were present throughout the hearing.

B. The Project. The Project consists of the purchase by the Applicant Waters & Co., Inc., of the land with the buildings thereon now known as and numbered 144 Worcester Street, Boston, Suffolk County, in the South End Urban Renewal Project No. Mass. R-56, (hereinafter called the "Project Area"), and the rehabilitation, operation and maintenance of the existing eight unit apartment building and appurtenant facilities by the Applicants. The Project Area is presently owned by the Applicant Marion M. Waters. The Project is to be financed by a below

market interest loan by the Massachusetts Housing Finance Agency. The remaining equity capital will be raised by the proposed issuance of 12,500 shares of the Common Stock of the 121A Corporation having no par value to the Applicants in return for services rendered and the conveyance of the Project Area to the 121A Corporation.

The Applicants propose to rehabilitate the existing eight unit apartment building in the Project Area, into an eight unit apartment building composed of six (6) two bedroom units, one (1) three bed room unit and one (1) four bedroom unit, and appurtenant facilities all in accordance with the terms of the South End Urban Renewal Plan. The appurtenant facilities will include landscaping, walks and a laundry room. It is anticipated the apartments will be occupied by low and moderate income families.

C. Authority Action. In passing upon the Application, the Authority has considered the Application itself, all Documents, Plans and Exhibits filed therewith or referred to therein, the oral evidence presented at the Hearing, the arguments and statements made at the Hearing. The members of the Authority are familiar with the Project Area.

The Project, as defined in the Application, constitutes a Project within the meaning of Section 1 of Chapter 121A of the General Laws, providing as it does, for the construction, rehabilitation, operation and maintenance of decent, sanitary and safe residential building and appurtenant facilities.

D. Project Area Substandard and Decadent. The Project Area is by itself a substandard and decadent area, and is part of a larger area, which pursuant to the adoption of the South End Urban Renewal Plan, Project No. Mass. R-56, adopted by the Authority on September 23, 1965, and approved by the City Council of the City of Boston on December 6, 1965, as amended, is part of a larger area found to be substandard and decadent. More specifically, the location where the Project is proposed is characterized by the presence of a dwelling

which by reason of severe dilapidation, defective sanitation facilities, and overcrowding has become detrimental to the safety, health, morals , welfare and the sound growth of the surrounding community. The South End Urban Renewal Project Area, as a whole, has been characterized by the existence of a large number of buildings which are out of repair, physically deteriorated, unfit for human habitation, obsolete, or in need of major maintenance and repair. A degree of decline has occurred so that it has become improbable that the Area would be redeveloped by the ordinary operations of private enterprise.

These conditions warrant the carrying out of the Project in accordance with the legislative mandate contained in Chapter 121A of the General Laws and the Application constitutes a Project within the meaning of that law. The purposes of Chapter 121A and Chapter 652 of the Acts of 1960 will be met by this Project. The demand for decent, safe and sanitary housing for persons and for families at rentals below those which the conventional operations of the real estate market produces, is a matter of common knowledge intense in this area of the City. Total rehabilitation of the structure will serve to alleviate this intense demand and will, in addition, encourage the conservation and improvement of an area of a substantial number of dwellings located adjacent to the Project Area. The Project will provide adequate financial return to the City of Boston. In addition to the excise tax prescribed by Section 10 of Chapter 121A of the General Laws, the Applicant agrees to pay an additional specified amount. In summary the Applicant agrees that it will pay approximately 16 to 17 percent of the gross rents of the Project on account of taxes in each of the forty (40) calendar years next following the year 1974.

E. Cost of the Project. In the opinion of the Authority, the cost of the Project has been realistically estimated in the Application and the Project is practicable. The estimated cost is \$234,120.00. The cost of the Project will be financed by a below market interest loan by the Massachusetts Housing

Finance Agency in the amount of 90% of the total cost of the Project. Pursuant to MHFA requirements, the financing rate will be 1/2% above the cost of money borrowed by the MHFA, plus a 1% financing fee. The term of the MHFA loan will be forty (40) years from the time of issuance of MHFA long term bonds covering the amount of the MHFA loan on the Project.

The remaining equity capital will be raised by a proposed issuance of 12,500 shares of the common stock of the 121A Corporation having no par value, to the Applicants in return for a total capital contribution of \$23,412.00 in services and land with the building thereon. The services rendered as developers and the value of the land with the building thereon, have been approved by the MHFA.

The Application contains a form of the proposed Articles of Incorporation illustrating the organizational framework of the 121A Corporation, to be called WATERS & CO., INC. Experience with similar financing and organizational methods persuades the Authority that the financial program is realistic.

F. Consistency with Master Plan. As stated in Chapter X, Section 1001 of the South End Urban Renewal Plan, "This Urban Renewal Plan is in conformity with the General Plan for the City of Boston and with its program for community Improvements".

G. Effect of the Project. The Project will not be in any way detrimental to the best interests of the public or the City of Boston or to the public safety or convenience or be inconsistent with the most suitable development of the City. The Project will, in fact, forward the best interests of the City and will constitute a public use and benefit. The rehabilitation of the existing building of the Project have been reviewed by the Design Review Staff of the Authority. The Authority finds that the rehabilitation of the building will enhance the general appearance of the Area and furnish attractive and necessary living accommodations. The location proposed is excellent for housing, having ready access to public transportation, recreational facilities, schools and

shopping.

The carrying out of the Project will involve the total rehabilitation of a building occupied as dwelling units. A feasible method for the relocation of families temporarily to be moved out as a result of construction has been worked out and agreed upon by the Applicants and the Authority, through its South End Site Office. The relocation plan has been submitted to the MHFA and found acceptable. A copy of the relocation plan has been submitted with the Application for Approval.

H. Environmental Considerations. In conformance with the provisions of Section 62 of Chapter 30 of the General Laws (as inserted by Chapter 781 of the Acts of 1972), and the Regulations thereunder as adopted by the Authority on April 11, 1974, the Authority has made an environmental examination which contains, among others, the following findings:

1. The Project does not adversely affect any recreational areas or any aesthetic values in the surrounding area.
2. No natural or man-made features exist in the affected area.
3. The Project affects no archeological structure or site.
4. The Project does not affect the potential use, extraction or conservation of a scarce natural resource.
5. The Project Area is urban, and therefore does not serve as a habitat for wild life.
6. The Project does not affect fish, wildlife or plantlife.
7. There are no rare or endangered plant or animal species in the Project Area.
8. The Project does not affect or change existing features of any of the Commonwealth's fresh or salt waters or wetlands.
9. The project could not change existing features of any of the Commonwealth's beaches.

10. The Project does not require a variance from, or result in a violation of, any statute, ordinance or by-law, regulation or standard, the major purpose of which is to prevent or minimize damage to the environment.

11. The Project does not require certification, authorization or issuance of a permit by any local, State or Federal environmental control agency.

12. The Project does not involve the disposal of potentially hazardous materials.

13. The Project does not involve construction of facilities in a flood plain.

14. The Project, except necessarily during the construction phase, does not result in the generation of significant amounts of noise or dust.

15. The Project does not involve the burning of brush, trees, construction materials, etc.

16. The Project does not result in the deleterious effect on the quality of any portion of the state's air or water resources.

17. The Project does not affect an area of important scenic value. The Project does affect an area with significant architectural attributes but is designed harmoniously with those attributes.

Therefore, the Authority concludes that the Project will not cause any environmental damage and, in its opinion, no further Reports need to be filed.

As a result of the investigation and Report of the Authority staff and of its own knowledge, the Authority hereby determines that the Project will not cause significant environmental damage and that the Secretary of the Authority be instructed to file such with said Executive Office of Environmental Affairs its Report and finding in accordance with the Authority's Rules and Regulations.

I. Minimum Standards. The minimum standards for financing, construction, maintenance and improvement of the Project, as set forth in Exhibit B filed with and attached to the Application, are hereby adopted and imposed as Rules and Regulation (in

addition to those hereinafter adopted and imposed) applicable to this Project for the same period as the Project is subject to the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended.

In addition to the minimum standards set forth in Exhibit B, the Authority hereby requires that the Applicant, prior to obtaining a building permit, (1) enter into a Regulatory Agreement with the Authority pursuant to the requirements of General Laws, Chapter 121A, Section 18C and containing such other terms and conditions as the Authority may in its discretion deem necessary and appropriate; (2) submit to the Authority for its review and approval such Plans and Specifications for the Project as the Authority may require, and accept such changes and modifications thereto as the Authority may deem necessary or appropriate; and (3) adhere to such Design Review Controls and Requirements as the Authority may in its discretion impose.

The carrying out of the Project will not require the erection, maintenance, and use of a garage within 500 feet of one or more buildings occupied in whole or in part as a public or private hospital having more than 25 beds, or as a public or private school having more than 50 pupils, or as a church.

J. Zoning Deviations. No Zoning Deviations are required for the carrying out of the Project. Any and all zoning action required to proceed in accordance with the approved plans and specifications has been taken, and that no further zoning change or action is required; no zoning change now pending could in any way or manner affect the Project.

November 21, 1974

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert T. Kenney, Director

SUBJECT: SOUTH END URBAN RENEWAL AREA PROJECT NO. MASS. R-56
WATERS & CO., INC.
APPROVAL OF 121A REPORT AND DECISION AND
STATEMENT OF NO SIGNIFICANT ENVIRONMENTAL IMPACT

On November 14, 1974, a public hearing was held for the Approval of the formation of Waters & Co., Inc. pursuant to Chapter 121A of the General Laws of Massachusetts.

The Applicants sought consent for the formation of a Corporation which entity would rehabilitate 8 units of residential housing at 144 Worcester Street in the South End. The Project is to be financed through the Massachusetts Housing Finance Agency.

The Authority Staff has also made inquiry into the Environmental Impact of the Project pursuant to Sections 61 and 62 of Chapter 30 of the Massachusetts General Laws. The proposal of Waters & Co., Inc. has thus been examined both as to its Environmental Impact and as to its 121A criteria and has been found fully acceptable.

It is therefore, recommended at this time that the Authority adopt the Report and Decision for Waters & Co., Inc. and approve the Project as having no significant environmental impact.

An appropriate Vote is attached.

attachment

